

## REMARKS

Applicants appreciate the Examiner's allowance of Claims 1-3.

Applicants will now address each of the Examiner's remaining objections and rejections in the order in which they appear in the Office Action.

### Claim Objections

In the Office Action, the Examiner objects to Claims 5 and 6 as being in improper form because a multiple dependent claim should refer to other claims in alternate only.

In order to advance the prosecution of this application, Applicants are amending Claims 5 and 6 to remove the multiple dependency so that Claims 5 and 6 are now merely dependent on Claim 3. In addition, Applicants are adding new Claims 9 and 11 which are merely the subject matter of claims 5 and 6 dependent on Claim 4 (which is consistent with the original claims).

Therefore, it is respectfully submitted that this objection has been overcome, and it is requested that the objection be withdrawn.

### Claim Rejections - 35 USC §102

The Examiner rejects Claims 2 and 4-8 under 35 USC §102(b) as being anticipated by Nakada (US 5,393,614). This rejection is respectfully traversed.

More specifically, independent Claim 2 recites the features of "An electron *injecting* material represented by a general formula (2)..." (emphasis added) while independent Claim 4 recites the features "*a* layer including a phenanthroline derivative represented by a general formula (3) and at

least one element selected from alkali metals and alkali-earth metals...” (emphasis added). It is respectfully submitted that Nakada does not disclose or suggest these claimed features.

Therefore, independent Claims 2 and 4 are not disclosed or suggested by Nakada, and Claims 2, 4 and those claims dependent thereon are patentable over Nakada. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### New Claims

Applicants are adding new dependent Claims 9-11. As these are dependent claims, they are allowable for at least the reasons discussed above for the independent claims. Accordingly, , it is respectfully requested that these new claims be entered and allowed.

No fee is believed due for these new claims. If a fee should be due, please charge our deposit account 50/1039.

#### Conclusion


It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee should be due for this amendment and/or the new claims, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Date: January 5, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark J. Murphy', with a long horizontal flourish extending to the right.

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